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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 JOHN RAY LOMACK,

9 Petitioner,

Case No. C18-1282 RSM

10 v.

ORDER DISMISSING ACTION

11 STATE OF WASHINGTON,

12 Respondent.

13 The Court, having reviewed the Report and Recommendation of the Honorable Mary Alice
14 Theiler, United States Magistrate Judge, and the remaining record, hereby ORDERS:

- 15 (1) The Court adopts the Report and Recommendation;
16 (2) This action is DISMISSED without prejudice for failure to prosecute; and
17 (3) The Clerk is directed to send copies of this Order to petitioner and to the Honorable
18 Mary Alice Theiler.

19 DATED this 2nd day of January 2019.

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22 RICARDO S. MARTINEZ
23 CHIEF UNITED STATES DISTRICT JUDGE